

STERLING CHEVROLET/SATURN OF STERLING

Special Exception Application
Zoning Ordinance Modification Application
SPEX 2007-0011
ZMOD 2007- 0001
ZMOD 2007-0003

STATEMENT OF JUSTIFICATION

January 24, 2007
Revised March 20, 2007
Revised August 22, 2007
Revised December 4, 2007
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INTRODUCTION:

Sterling 234 Limited Company (the "Owner") owns three parcels of land, zoned PDCCSC or split-zoned PDCCSC/ CR1, which are the current location of Sterling Chevrolet and Saturn of Sterling (the "Property"). Sterling Chevrolet is currently under renovation and O'Malley Auto Group (the "Applicant") seeks approval of a Special Exception to remove the existing legal non-conforming status of the Property and a Zoning Ordinance Modification to reduce the setback and yard requirements from Harry Byrd Highway (Route 7), to reduce the landscaping buffer requirements, and to permit a Comprehensive Sign Plan pursuant to the provisions of the Revised 1993 Zoning Ordinance (the "Ordinance") to accommodate the revised signage for the auto dealership.

BACKGROUND:

Sterling Chevrolet and Saturn of Sterling are located at 46980 Harry Byrd Highway in the Sugarland Run Election District. They are located on the north side of Route 7 between Lakeland Drive and the Loudoun/Fairfax County line. General Motors has chosen Sterling Chevrolet to be part of its "Facility Imaging Program," which is designed to enhance business and satisfy the needs of customers. Accordingly, Sterling Chevrolet is currently being refurbished with new flooring, new furniture and other interior improvements. As part of this Program, General Motors is also promoting increased visibility of its auto dealerships through the use of better signage. While there are no current plans to renovate Saturn of Sterling, its buildings and parking are also located on the same parcels as Sterling Chevrolet and the Applicant desires to seek the same modifications to the Zoning Ordinance regulations, to reduce the landscape buffer requirements, and to include the Saturn signs in the Comprehensive Sign Plan.

The proposed removal of the non-conforming status of the Sterling Chevrolet structure is necessary to accommodate the replacement of the existing entrance canopy. While the building footprint will not increase, the proposed entrance canopy will extend further than the existing canopy, but still not further than the existing building, into the 50' required setback from Route 7 and the 35' required yard from rights-of-way. The

proposed modification to the required setback from Route 7 and yard will allow for the refurbishing and renovation of Sterling Chevrolet at the gateway to Loudoun County. The proposed modification to the landscape buffer regulations will allow for a reasonable amount of landscaping by use of the existing landscaping and additional plantings which allow for continued visibility of the businesses. The proposed Comprehensive Sign Plan (the "Plan") will provide Sterling Chevrolet with better visibility to the community while providing clearer direction and essential understanding of the locations of the specific services on the parcels. The Plan provides visually consistent, simple and clean graphic indicators for the Sterling Chevrolet and Saturn of Sterling dealerships. As part of the Facility Imaging Program, the entrance feature is proposed to be modified to be more visibly pleasing and consistent with today's architecture.

SPECIAL EXCEPTION TO REMOVE NON-CONFORMITY:

SECTION 5-900(A) BUILDING AND PARKING SETBACKS FROM ROADS:

"(1) Route 7 (a) Fairfax County line, west to Broad Run.

- (i) Building: 50 feet*
- (ii) Parking: 50 feet."*

SECTION 4-205 LOT REQUIREMENTS:

"(C) Yards. The following perimeter yard minimums shall be provided for each type of commercial center:

(1) Adjacent to Roads.

(c) Small Regional Center(SC). No building, parking outdoor storage, areas for collection of refuse, or loading area shall be permitted closer than (35) feet to any road right-of-way, except as provided in Section 4-206(E). No parking, outdoor storage, areas for collection of refuse or loading space shall be permitted in areas between buildings and streets where such uses are visible from any road."

SECTION 1-403 NONCONFORMING STRUCTURES:

"(B) Alteration or Enlargement of Nonconforming Structure. A non conforming structure shall not be enlarged, increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this Ordinance unless such improvements do not increase the degree of nonconformity."

SECTION 1-405 PROCEDURE FOR REMOVAL OF NONCONFORMING STATUS:

"(A) Availability of procedure. Notwithstanding any terms of this Section prohibiting the continuation, reconstruction, or expansion of nonconforming uses and structures, a nonconforming use or structure may be deemed to be in conformity with the requirements of this Section, and may be allowed to continue and to expand as a lawfully existing use

or structure, through the issuance of special exception approval in accordance with the following procedures and standards[of Section 1-405(B),(C), and (D)].”

The construction of Sterling Chevrolet and Saturn of Sterling was approved in 1987 and 1991, respectively. With the adoption of the 1993 Loudoun County Zoning Ordinance, on June 16, 1993, the subject Property's zoning designation changed to PD-CC-SC (Planned Development – Commercial Center – Shopping Center) from the C-1 and R-1 designations under the 1972 Loudoun County Zoning Ordinance. The Property then became subject to the setback requirements of Section 4-206 and yard requirements of Section 4-205(C). In addition, the setback requirements of Section 5-900 were enacted upon the adoption of the 1993 Loudoun County Zoning Ordinance. The adoption of the 1993 Zoning Ordinance caused the buildings to become nonconforming structures. In October 2007, the Board of Supervisors approved an amendment to Section 5-900(A) that provides for a 50' building and parking setback from Route 7 and an amendment to Section 4-206 that requires the observance of Section 5-900 (setbacks) in designing planned shopping center developments in a PD-CC district. Due to its prior approval before the adoption of the current regulations, the existing Chevrolet building and its parking are within the 50' setback but it is a legal non-conforming structure and use. The existing Chevrolet building is located approximately 33 feet from the front property line. There are two handicap parking spaces within the setback from Route 7, one of which is in the yard. The existing Saturn building is located approximately 65 feet from the front property line and thus complies with the recently adopted PD-CC District regulation Section 4-206(E) and Section 5-900(A)(1).

Pursuant to Section 1-403(B), a nonconforming structure shall not be enlarged or increased, unless such improvements do not increase the degree of nonconformity. Since the proposed entrance canopy on the Chevrolet building would extend further than the existing entrance canopy, albeit not increase the building footprint, nor extend further into the building setback than the front of the existing structure, staff has interpreted this as increasing the degree of nonconformity. Staff has also noted the non-conformity with respect to the 35' yard requirement from rights-of-way and other non-residential districts and the parking setback. Therefore, the Applicant is requesting a special exception to remove the non-conforming status of the structures with respect to the yard and building and parking setback requirements but at this time chooses to allow the other non-conformities to remain as lawful non-conforming uses as approved with SPPF 1988-0013, SPEX 1987-011, SPPF 1990-0025 and SPEX 1991-0009.

The specific factors to be reviewed in determining whether or not to grant a special exception are discussed below with the discussion of those factors as they relate to the comprehensive sign amendment since the two applications are intricately intertwined.

PROPOSED ZONING ORDINANCE MODIFICATIONS:

SECTION 6-1504 MODIFICATIONS:

"No modification shall be approved unless the Board of Supervisors finds that such modification to the regulations will achieve an innovative design, improve upon the existing regulations, or otherwise exceed the public purpose of the existing regulation. No modification will be granted for the primary purpose of achieving the maximum density on a site."

1. Zoning Ordinance Requirement to be Modified: Setbacks from Specific Roads and the W&OD Trail Section 5-900(A)(1)(a).

SECTION 5-900(A) BUILDING SETBACKS FROM ROADS:

"(1) Route 7 (a) Fairfax County line, west to Broad Run.

- (i) Building: 50 feet*
- (ii) Parking: 50 feet."*

Proposed Modification

The Applicant requests that this setback requirement be modified to 30' along the Property's frontage with Route 7 to allow not only the entrance canopy of the existing building to be modified and expanded as part of General Motor's Facility Imaging Program but to accommodate the entire existing Chevrolet building, and parking, as it currently sits within the 50' setback. The Applicant requests modification to 30' to allow for future façade improvements and continuity with the existing setbacks of other adjacent and nearby parcels.

2. Zoning Ordinance Requirement to be Modified: Planned Development Commercial Center (Small Regional Center) (PD-CC-SC) Lot Requirements Section 4-205(C)(1)(c).

SECTION 4-205 LOT REQUIREMENTS:

"(C) Yards. The following perimeter yard minimums shall be provided for each type of commercial center:

(1) Adjacent to Roads.

(c) Small Regional Center(SC). No building, parking outdoor storage, areas for collection of refuse, or loading area shall be permitted closer than (35) feet to any road right-of-way, except as provided in Section 4-206(E). No parking, outdoor storage, areas for collection of refuse or loading space shall be permitted in areas between buildings and streets where such uses are visible from any road."

Proposed Modification

The Applicant requests that this minimum yard requirement of 35' be modified to 30' along the Property's frontage with Route 7 to allow not only the entrance canopy of the existing Sterling Chevrolet building to be modified and expanded as part of General Motor's Facility Imaging Program but to accommodate the entire existing Sterling Chevrolet building, and its parking, as it currently sits within 35' feet of Route 7.

3. Zoning Ordinance Requirement to be Modified: Determination of Buffer Yard Requirements: Special Situations Section 5-1406(E)(2), Buffer Yard and Screening Section 5-1414(B)(3).

SECTION 5-1406(E)(2) DETERMINATION OF BUFFER YARD REQUIREMENTS SPECIAL SITUATIONS:

"If any property adjoins any existing or planned arterial road, ... , the required buffer yard shall be in accordance with Buffer Yard Type 3. This requirement may be waived, modified, and/or reduced, by the Zoning Administrator, where necessary to preserve existing mature trees. No buffer yard shall be required for the A-3 and A-10 districts where such property adjoins any existing or planned arterial road."

SECTION 5-1414(B)(3) BUFFER YARD:

(3) Type 3					
Front	3	3	20	0	20' minimum width 30' maximum width
Side/Rear	2	5	10	4	25' minimum width 30' maximum width

SECTION 5-1403(C) BUFFERING AND SCREENING. STANDARDS.

"The Board of Supervisors or the Board of Zoning Appeals may modify the requirements of this Section[5-1400] as part of an approval action of a special exception, variance, or as part of proffered conditions. In such event, the requirements of such approval shall govern."

Proposed Modification

The Applicant requests that the Type 3 Buffer Yard along the property's frontage with Route 7 be modified to the currently required number of shrubs plus the existing landscaping that was installed as a condition of the previously approved special exceptions for Sterling Chevrolet and Saturn of Sterling, SPEX 1987-0011 and SPEX 1991-0009, respectfully.

4. Zoning Ordinance Requirement to be Modified: Sign Requirements Section 5-1204.

SECTION 5-1204(D) SIGN REQUIREMENTS MATRIX:

"(3)Commercial/Office Signs (s) Auto Dealer"

Proposed Modification

The attached Comparative Matrix and Plan provide the requirements of Section 5-1204 and detailed descriptions of the signage proposed to be permitted pursuant to Section 5-1202(E) of the Ordinance.

JUSTIFICATION FOR MODIFICATIONS:

The justification for the requested modifications is based on a combination of County land use and economic development policy considerations and the existing site conditions.

1. Modification to Setback and Yard Requirement (Section 5-900(A)(1)(a) and Section 4-205(C)(1)(c)):

Like other properties along this portion of Route 7, the construction of Sterling Chevrolet was approved before the 50' setback from Route 7 was enacted or the adoption of the PD-CC district. The construction of Sterling Chevrolet was also approved before the enactment of the requirement of a minimum 35' yard from rights-of-way. As such, the existing building and parking is within the 50' setback and within the 35' minimum yard but Sterling Chevrolet is a legal non-conforming structure and use. As part of the Facility Imaging Program, Sterling Chevrolet is proposing to modify the existing and outdated entrance to the showroom. In doing so, the proposed entrance canopy will extend slightly further into the 50' setback now required along this portion of Route 7 than the existing entrance canopy.

The public purpose served by these setbacks and yards will not be diminished by the proposed entrance canopy. The proposed entrance canopy will extend six and one-half feet further into 50' setback than the existing entrance canopy. It is noteworthy that portions of the existing building extend further into the 50' setback and into the 35' yard than the existing entrance canopy *or the proposed entrance canopy*. The Applicant is not proposing to enlarge the actual building footprint. Thus, a view of the Property will not show a change in the encroachment but will be visibly more pleasing in an area that can benefit from such improvements and which is one of the main gateways into Loudoun County.

Most, if not all, of the buildings, and respective parking, along the north of Route 7 in this area are located within the 50' setback; thus, there will be no negative impact on the uniformity of the setback. Moreover, the reduction of the yard requirement to 30' will be consistent with other buildings and parking along the north side of Route 7 and maintain uniformity in this area. Furthermore, the proposed additional encroachment is minimal and will enhance the area from an architectural standpoint by providing a more pleasing building; thus improving and exceeding the public purpose of the setback with an innovative design as discussed below.

2. Modification to Type 3 Buffer Yard (Section 5-1406(E)(2) and Section 5-1414(B)(3)):

Subsequent amendments to the Zoning Ordinance have increased the landscape buffer requirements. Staff now states that Sections 5-1406(E)(2) and 5-1414 of the Zoning Ordinance require that a Type 3 front buffer be installed along Route 7, which is a 20' minimum buffer with 3 canopy trees, 3 under story trees, and 20 shrubs per linear footage. These parcels were the subject of previously approved special exception applications, SPEX 1987-0011 and SPEX 1991-0009, which both required landscape plans as part of the approval of the related site plan applications. Accordingly, the parcels already contain significant landscaping in relation to those similarly situated parcels in the area. Specifically, along the frontage of the property with Route 7, there are 9 existing canopy trees and 45 existing shrubs. Further details of the existing landscaping around the perimeter of the parcels can be found on sheet 3 of the Plan. The area along the frontage of the parcels with Route 7 is not large enough to accommodate a large number of additional plantings such that each planting could survive. Over planting in small areas is detrimental to the survival of landscaping. Moreover, there are existing overhead utility wires within the buffer yard area that would significantly affect the canopy trees and the planting of such canopy trees is prohibited. In addition, there is a 15' water main easement that also runs through the requested buffer yard area. Finally, any requirement to plant additional canopy trees and under story trees would be in direct contradiction of the purpose of this application which is to increase visibility and overall attractiveness of a Loudoun County business at one of Loudoun's gateways.

3. Comprehensive Sign Plan (Section 5-1204):

The Applicant's Plan requires and requests approval of Zoning Ordinance modifications pursuant to Sections 5-1202(E), 6-1504 and 6-1511(B)(5) of the Ordinance to provide for a unified, complementary and harmonious plan for signage on the parcels. More specifically, the Applicant requests modifications to Section 5-1204 to increase the total sign area, the maximum number of signs, and the maximum area of any one sign.

Each sign is located in such a manner that the overall balance and appropriateness of the sign package as a whole is maintained. The Chevrolet bowties, one of which is existing, viewed from the south elevation are far below the allowable maximum area of any one sign. The Sterling building mounted sign is also below the allowable maximum area of any one sign. The existing Pylon Sign is within the allowable maximum area of any one sign and 13 ½ feet in height. The larger Chevrolet sign is located on the front façade of the building and is well-balanced by the existing sizing of the building. The smaller Chevrolet sign is only slightly beyond the allowable maximum area of any one sign and is appropriate and well-balanced by the proposed new entrance feature. The Service sign is located at the rear of the building providing balance with the signs located at the front of the building. The existing Used Vehicles sign is located along the side of the building and provides further balance among the signs located at the front and rear of the building. There are three additional existing signs for Saturn of Sterling. The existing Saturn Symbol is well below the maximum area of any one sign. The Saturn of Sterling

building mounted sign is on the front façade of the Saturn building and is well-balanced by the existing size of the building. The existing Saturn pylon sign while larger than the maximum area of any one sign is 14 ½ feet in height.

The proposed Plan is complementary and unique to these parcels. The Plan includes signs to identify the auto dealerships, used car sales and the service department in order to direct patrons to the specific parts of the property which they may need. More importantly, the Plan will increase the visibility of the auto dealerships and the parts and service department in order to enhance the presence of this Loudoun County business to both current and prospective customers. Accordingly, the Applicant requests approval of this application.

Section 6-1310 Special Exception and Comprehensive Sign Plan:

Section 6-1310 of the Zoning Ordinance outlines various factors for consideration in the review of a special exception request and a sign modification request. The following is an analysis of the applicable factors in relation to the proposed removal of the legal non-conforming status of the existing structure and the modification requests for the Property.

(A) Whether the proposed special exception is consistent with the Comprehensive Plan.

Like all areas along and north of Route 7 and east of the Route 7/Route 28 interchange and all areas along and south of Route 7 and east of Potomac View Drive, the planned use for the Property is residential. It is part of the Potomac Suburban policy area. The use of the Property is further guided by the Countywide Retail Plan Amendment (the "Retail Plan").

The Retail Plan states that buildings should demonstrate a unified design through the use of similar features such as "rooflines, materials, window arrangement, sign location, and architectural details (Retail Plan, Policy 3, page 20). Further, the Retail Plan encourages improvements to the appearance of existing commercial areas and that keep businesses competitive in a changing retail environment (Retail Plan, text, page 18). Finally, the Retail Plan states that building facades should incorporate recesses, off-sets, angular form or other features to avoid presenting a "blank side" to the street and neighboring properties" (Retail Plan, Policy 6, page 20).

The submitted Plan achieves the above-stated objectives of the Retail Plan. It provides a unified design scheme in support of a redevelopment of an existing commercial use to keep it competitive that significantly improves the visual quality of Route 7 in this vicinity by using the entrance canopy to avoid a "blank side" to Route 7.

(B) Whether the proposed special exception will adequately provide for safety from fire hazards and have effective measures of fire control.

The structure currently meets all pertinent standards and requirements pertaining to safety from fire hazards and measures for fire control. The removal of the non-conforming status of the structure will not affect safety and measures of fire control. This factor is not applicable to the sign modification request.

(C) Whether the level and impact of any noises emanating from the site, including that generated by the proposed use, negatively impacts the uses in the immediate area.

Neither the removal of the non-conforming status nor the Comprehensive Sign Plan will negatively impact the uses in the immediate area.

(D) Whether the glare of light that may be generated by the proposed use negatively impacts uses in the immediate area.

This factor is not applicable to the special exception request to remove the non-conforming status. Guidelines for lighting signs associated with this application are included in the Comprehensive Sign Plan. The Applicant notes that the proposed lighting will be no different than that which currently exists and the current lighting does not negatively impact the immediate area. The sign lighting will be in conformance with Zoning Ordinance requirements. It is necessary to maintain illumination of the signs for security reasons since the current use of the property includes many automobiles on the property. The Applicant has already engaged a private security firm to patrol the property due to thefts of goods on the property. The risk of theft of property strongly outweighs any potential issues to intrusive light trespass and light pollution of the night skies if the Applicant is forced to restrict the times of illumination for the signs. Despite these facts, the Applicant proposed and agrees to restrict sign lighting between the hours of 11:00 p.m. and 5:00 a.m.

(E) Whether the proposed use is compatible with other existing or proposed uses in the neighborhood, and adjacent parcels.

As noted previously, most, if not all, of the buildings along the north of Route 7 in this area are located within the setback and the minimum yard; thus there will be no negative impact on the uniformity of the setback and the structures remain compatible with other existing or proposed uses in the vicinity and on adjacent parcels. The proposed Comprehensive Sign Plan is compatible with the refurbished auto dealership and will improve the overall visual quality of this area of Route 7.

(F) Whether there is sufficient existing or proposed landscaping, screening and buffering on the site and in the neighborhood to adequately screen surrounding uses.

The removal of the non-conforming status is for an existing building on an already developed site and will result in no need for additional landscaping, screening or buffering. Landscaping currently exists as it was required and previously addressed during the special exception process for the Chevrolet and Saturn businesses and their respective site plans. The primary purpose behind this application is to promote visibility of the auto dealership and its related services and to provide a more visibly pleasing area at one of the gateways of Loudoun County. Accordingly, it is not practical to buffer the front of the property from Route 7 with canopy and under story trees as this would severely limit visibility to the driving public. Despite this fact, the Applicant proposed and agrees to plant 15 additional shrubs as necessary to satisfy current Zoning Ordinance regulations. Finally, there is sufficient landscaping between the Property and the adjoining CR-1 zoned parcels such that the buildings and associated parking are adequately screened. This factor is not applicable to the sign modification request.

(G) Whether the proposed special exception will result in the preservation of any topographic or physical, natural, scenic, archaeological or historic feature of significant importance.

The removal of the non-conforming status is for existing buildings on an already developed site and as such will have no impact on any topographic or physical, natural, scenic, archaeological or historic feature. In addition, the Phase 1 Archeological Study and Tree Inventory, Endangered Species Habitat and Landscaping have been waived. The location of the signs erected on the Property will be in conformance with Ordinance requirements as modified by the Comprehensive Sign Plan.

(H) Whether the proposed Special Exception will damage existing animal habitat, vegetation, and water quality (including groundwater) or air quality).

Not applicable.

(I) Whether the proposed special exception at the specified location will contribute to or promote the welfare or convenience of the public.

The proposed removal of the non-conforming status and the Comprehensive Sign Plan will facilitate the convenience of the traveling public. Signs with a common theme will provide recognizable landmarks within the community and will make it easier for the traveling public to realize when they have arrived at their respective destination. A uniform placement of signs throughout the Property will assist the public in more easily finding their destination.

- (J) Whether the traffic expected to be generated by the proposed use will be adequately and safely served by roads, pedestrian connections and other transportation services.**

The Applicant does not propose any alterations to previously approved on-site vehicular or pedestrian circulation through either the special exception or the zoning modification. Signs designed and located throughout the Property as proposed by the Comprehensive Sign Plan will facilitate on-site safe travel.

- (K) Whether in the case of exiting structures proposed to be converted to uses requiring a special exception, the structures meet all code requirements of Loudoun County.**

Not applicable.

- (L) Whether the proposed special exception will be served adequately by essential public facilities and services.**

The existing building is already served by all essential public utilities and services. All signs installed on the Property that are planned to be lighted can be served by existing utility services.

- (M) The effect of the proposed special exception on groundwater supply.**

Not applicable.

- (N) Whether the proposed use will affect the structural capacity of the soils.**

Not applicable.

- (O) Whether the proposed use will negatively impact orderly and safe road development and transportation.**

As there is no proposed change in use, the removal of the non-conforming status is not expected to result in an increase in traffic to and from the site during the operating business hours. A coordinated design and location of signs throughout the Property will provide for orderly and safe transportation.

- (P) Whether the proposed special exception use will provide desirable employment and enlarge the tax base by encouraging economic development activities consistent with the Comprehensive plan.**

The proposed special exception to remove the non-conforming status of the structures and the Comprehensive Sign Plan will serve to enlarge the commercial tax base of the County by providing an attractive development which will attract new commercial users.

(Q) Whether the proposed special exception considers the needs of agriculture, industry, and businesses in future growth.

Not applicable.

(R) Whether adequate on and off-site infrastructure is available.

Adequate facilities are available on the Property to serve the removal of the non-conforming status and the proposed signs.

(S) Any anticipated odors which may be generated by the uses on site, and which may negatively impact adjacent uses.

Not applicable.

(T) Whether the proposed special exception uses sufficient measure to mitigate the impact of construction traffic on existing neighborhoods and school areas.

Not applicable.

The following discussion is based on the guidelines adopted by the Planning Commission in March 1999 to assist in the evaluation of comprehensive sign plans.

Criterion 1: Will the number, location and size of signs proposed adequately help people find what they need without difficulty or confusion: (are the signs visible to the driving public and located and sized to enable the public to make turns in a timely manner? Identify the criteria used to make this assessment, such as sign industry standards, etc. Is the modification the least amount needed to meet this criteria?)

The Plan provides for a coordinated and cohesive sign plan that will assist visitors to the Property to find what they need in an efficient, timely and predictable manner. The location of the signs as proposed by the Plan will be easily visible to the traveling public and will be located so as not to impede visibility or turning movements within the area of the Property.

Criterion 2: Will the proposed signage have an adverse impact on the visual character of an area or provide an overload of graphic messages or displays in the environment of Loudoun County.

The design of the signs has been coordinated with the architectural style, materials and colors of the existing and to be refurbished Sterling Chevrolet building. Signs installed pursuant to the proposed Plan will complement the design character of the existing building. The signs proposed by the Plan are minimally beyond the number and size of the

approved signs for the Property and thus there will be no adverse impact on the visual character of this area or an overload of graphic messages or displays on this Property.

Criterion 3: Does the proposed signage treat similar types of signs consistently?

Yes, the proposed signage treats similar types of signs consistently. See the Plan for details.

Criterion 4: Are the proposed signs subordinate to the structures and land use functions they reference and are they accessory components of an overall composition of architectural elements?

Yes, the signs permitted to be erected on the Property will be subordinate to the primary use on the site.

Criterion 5: Does the proposed signage encourage the general attractiveness, historic quality, and unique character of Loudoun County, and protect property values?

Yes, the proposed signage will provide an attractive and cohesive treatment throughout the Property. Control of the type, design, style, etc. of the signs erected on the Property guarantees that property values will be protected and not negatively impacted.

Criterion 6: Does the proposed signage represent a comprehensive sign plan that is coordinated/unified, in terms of design, lighting, materials, colors, landscaping, etc. that reflects unique character of the planned development?

Yes. See the attached Plan for specific details.

Criterion 7: Does the site have unusual characteristics such as topography, size configuration and the like which would warrant a modification?

The Sterling Chevrolet is part of General Motor's "Facility Imaging Program", which is designed to enhance business and satisfy the needs of customers. As part of this Program, General Motors is also promoting increased visibility of its auto dealerships through the use of better signage. This program necessitates a comprehensive sign plan for the Property that addresses cohesive design while providing visibility for this Loudoun County business at the gateway to Loudoun County and directional information for patrons.

Criterion 8: Is the proposed sign plan in conformance with the policies of the County's Comprehensive plan?

Yes. See above discussion.

SUMMARY:

The Property is zoned PDCCSC or split zoned PDCCSC/CR1 and is located along the portion of Route 7 that is designated residential but guided by the Countywide Retail Plan Amendment. The Property is impacted by a 50' setback requirement and a 35' minimum yard requirement from rights-of-way and the applicant is requesting that the legal non-conforming status of the structures and parking be removed and the setback and yard requirements be modified to 30 feet. The pleasing visibility of the Comprehensive Sign Plan outweighs the minimal additional encroachment of the entrance canopy such that the public purpose of the regulations is exceeded and/or the regulation is improved. In addition, the Applicant is requesting that the landscape buffer be modified to include the existing landscaping as well as the addition of 15 shrubs along the frontage of the Property with Route 7 to satisfy Zoning Ordinance requirements. Again, the pleasing visibility of the Comprehensive Sign Plan and the need for increased visibility of a local business at the gateway to Loudoun County outweighs the minimal reduction in the landscaping buffer such that the public purpose of the regulation is exceeded and/or the regulation is improved. The Comprehensive Sign Plan provides design detail and location criteria that establishes a complementary and harmonious sign program for the Property with respect to materials, illumination, design and size that will result in signage that is effective, in scale with its surroundings, visually pleasing and uniquely identifies the business uses on the Property. The proposed Comprehensive Sign Plan provides an innovative design that will not adversely impact the surrounding community and, in fact, will insure that signs are appropriately located, sized and illuminated, so they are all complementary in design, materials, and appearance.

Therefore, the Applicant respectfully requests the favorable recommendation of the Staff and the Planning Commission, and the approval by the Board of Supervisors.